

Attorney Docket: 27726-94926

Application No.: 10/683,968

Remarks

Applicant respectfully submits the Amendments and Remarks to place this application in better condition for allowance. Applicant respectfully requests favorable reconsideration of the application based on the Amendments and Remarks.

Claims 1 through 39 are pending. Claims 1, 4, 5, 7-9, 11, 12, 14, 15, 21, 24, 25, 31, and 33 have been amended.

Rejection under 35 USC §102

The Examiner has rejected claims 1-10, 16-21, 24-29 and 33-37 under 35 USC § 102 based on Webster. Applicant respectfully asserts that this rejection cannot be sustained based on the following remarks. Additionally, Applicant has made some minor amendments to the claims to help further clarify the distinctions between the claimed invention and the Webster reference. Applicant respectfully requests that the Examiner withdraw this rejection.

In particular, the Webster reference shows a housing which is attached to a brewer. While there is a housing that encloses a hot water dispensing faucet, the housing is not selectively attachable to the brewer. Rather, as shown in the Figures, the embodiment shown and described is an integral faucet assembly. This integral faucet assembly is not selectively attachable as set forth in the present claims.

Additionally, while a separate unit is shown in Figure 8 and described in the specification, the unit is separate and autonomous and is not connectable to a hot water source. To the contrary, the only separate unit shown is to provide cold water (Col. 6, lns. 41-43 and Col. 11, lns. 34-62).

In order to sustain a rejection under 35 USC § 102 the cited reference must show each and every element of the claimed invention. As Webster does not show each and every element of the claimed invention as set forth above, Applicant respectfully asserts

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that the rejection cannot be sustained. Applicant respectfully requests that the Examiner withdraw this rejection under 35 USC § 102 based on Webster.

Rejection under 35 USC §103

The Examiner has also rejected claims 14, 15, 23, 31, 32 and 39 under 35 USC § 103 based on the combination of Webster and Pandolfi. As noted above, the Webster reference is not applicable to the claimed invention. Additionally, Pandolfi is not applicable. For the foregoing reasons, Applicant respectfully requests that the Examiner withdraw this rejection.

More specifically, Applicant relies upon the discussion of Webster provided above. Additionally, the Pandolfi does not show a selectively attachable unit that connects to a source of hot water. In contrast, the Pandolfi reference shows an autonomous unit or assembly (Col. 2, lns. 19-22). The claimed invention is not an autonomous unit but rather a unit which connects to an existing hot water source which is part of the brewer. In contrast, the Pandolfi unit is a separate hot water source which can be bolted to an existing brewer having its own separate water source. The combination of Webster and Pandolfi actually teaches away from the claimed invention since both show some form of autonomous unit having its own separate water source (hot or cold). This is different from the claimed invention which connects to an existing water source and does not require an additional separate hot water source to accompany the unit.

Applicant respectfully asserts that the claimed invention is not rendered obvious by the combination of Webster and Pandolfi as set forth in the claims as amended herein. With the foregoing in mind, Applicant respectfully requests that the Examiner withdraw the rejection under 35 USC § 103.

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Conclusion

It is respectfully submitted that the application is in condition to be passed to allowance. If there are any issues remaining to be resolved, the Examiner is invited to contact the undersigned attorney by telephone so that such issues can be discussed and resolved. Applicant respectfully requests favorable reconsideration of the present application based on the amendments and remarks set forth herein.

No fees are believed due at this time, however, please charge any additional deficiencies or credit any overpayments to deposit account number 12-0913 with reference to our attorney docket number 27726-94926.

Respectfully submitted,

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